IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2633 OF 2004

Shri.Vishnu Rama Kambalacha .. Petitioner
V/s
State of Maharashtra & Ors. .. Respondents

Mr.D.S.Patil for the Petitioner.
Mr.R.D.Rane, AGP for Respondents 1 & 2.
Mr.M.S.Karnik for Res.No.3.
Mr.S.S.Sarker for Res.No.4.

CORAM: S.RADHAKRISHNAN &
SMT.V.K.TAHILRAMANI, JJ.

DATE : 22.12.2004.

P.C.:

1. Heard the learned Counsel for the parties. Today, the Petitioner has filed an undertaking dated 9th December, 2004 in court. The said undertaking is accepted. The same is taken on record and marked as 'X' for identification. Referring to the judgment of the Hon'ble Supreme Court in the case of **State of Maharashtra V/s Milind and Others - (2001) 1 SCC 4**, the Petitioner has requested to protect his services. However, the Petitioner has also stated he and his descendants will not claim any benefits of "Mahadeo Koli" caste. Hence it is made clear that Petitioner will be treated as if belonging to the open category and his service book will be corrected accordingly. The Petitioner's service will not be terminated merely on the ground that his caste claim was invalidated by the Caste Scrutiny Committee by the order dated 29.9.2003. Writ Petition stands disposed of accordingly.

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